

## **Remarks**

Claims 16-18 and 20-21 were previously pending. Claims 16 and 20 have been amended. New claims 29-36 have been added. Claims 16-18, 20-21, and 29-34 are now pending in the application. Favorable reconsideration of the application is respectfully requested in light of the above amendments and the remarks which follow.

### **1. Telephone Interview with Examiner**

Applicant appreciates the Examiner's time and courtesy in conducting a telephone interview with Applicant in combination with Application Serial No. 10/624,361, which is a divisional application of the present application, and which presents method claims having elements similar to the method claims of the present application. Various distinctions were discussed between the claims of the '361 application in light of the cited prior art. The distinctions identified in the interview are the subject of the claim amendments in the present application.

### **2. Claim Rejections under 35 USC 102**

Claims 16-18 are rejected under 35 USC 102(b) as being anticipated by Domries. Claims 16-18, 20, and 21 are rejected under 35 USC 102(b) as being anticipated by Van Mill.

Independent claim 16 has been amended to recite an actuator extending wholly between said main beam and said mainframe. The Office Action maintains that the claims recite insufficient mainframe structure to support the argument that the actuator extends between the main beam and the mainframe. Applicant respectfully disagrees and, to this end, notes that claim 16 recites ground engaging wheels directly connected to the mainframe in order to structurally define the mainframe.

As discussed in the telephone interview, Van Mill discloses an actuator 126 that is not located wholly between the mainframe 11 and the main beam of gang assembly 108 or 109. Rather, a significant portion of Van Mill's actuator extends beyond the tillage tool 10. As a result, Van Mill's actuator does not reside wholly within any structure on the tillage tool 10 (let alone between the main beam and the mainframe as claimed). Applicant therefore asserts that independent claim 16 recites limitations not taught or suggested by Van Mill. Likewise, as discussed in the telephone interview, Domries also fails to teach or

suggest an actuator that adjusts the disc gang angle, wherein the actuator extends between the main beam and the mainframe as claimed.

Accordingly, Applicant asserts that independent claim 16, and corresponding dependent claims 17, 18, 20, and 21 are patentable over the cited prior art, and withdrawal of the rejection is respectfully requested.

### **3. New Claims**

#### **A. Claims 29-31**

Independent claim 29 recites a disc gang assembly that, *inter alia*, recites a main beam which is mountable on the mainframe and angularly offset with respect to said draft direction, and 2) a disc support beam which is located in front of said main beam and which is directly connected to said main beam by at least one support arm. Claim 29 further recites discs directly connected to said disc support beam and connected to said main beam via said at least one support arm. As discussed during the telephone interview, neither cited reference teaches or suggests these structural limitations.

New claims 30-31 depend from claim 29, and are therefore allowable for at least the reason that they depend from an allowable independent claim. Claims 30-31 further structurally define the mainframe of claim 29. Applicant asserts that claims 29-31 are fully supported by the specification, and formal allowance of claims 29-31 is respectfully requested.

#### **B. Claims 32-33**

Claims 32-33 both depend from independent claim 16 and are therefore allowable for at least the reason that they depend from an allowable independent claim. Claim 32 recites that the mainframe is connected between a front disc harrow and a rear disc harrow, and that the front disc harrow comprises the disc gang. Claim 33 recites that the disc gang is disposed forward of said mainframe with respect to said draft direction. Applicant asserts that new claims 32-33 are fully supported by the specification, and formal allowance of claims 32-33 is respectfully requested.

#### **C. Claim 34**

New independent claim 34 is fully supported by the specification (see, e.g., Figs. 1, 3 and related discussion) and recites a pair of adjacent disc gangs supported on a corresponding pair of frames. Each disc gang carries ground

engaging rotary discs which are configured to rotate about an axis that extends at a gang angle relative to a perpendicular to said draft direction. Each disc gang is pivotally connected to the implement mainframe at a location adjacent the other disc gang so as to permit said gang angle of each disc gang to be infinitely adjusted through a range of at least 3° while maintaining substantial linear alignment with the other disc gang.

Applicant has not found a teaching or suggestion of the claim 34 limitations in the cited prior art, but understands from the telephone interview that claim 34 may likely be the subject of a forthcoming restriction requirement.

#### **4. Conclusion**

Applicant therefore respectfully asserts that all rejections and objections cited by the Examiner have been overcome. Accordingly, the application is in condition for allowance, and a Notice of Allowance is earnestly solicited. The Examiner is invited to contact the undersigned at the telephone number appearing below if such would advance the prosecution of this application.

No fees are believed to be due for the filing of this communication, however the Commissioner is hereby authorized to deduct any fees resulting from this Amendment or any other communication, from Deposit Account No. 17-0055.

Respectfully submitted,

JEFFREY POWELL



By: Adam J. Forman  
Reg. No. 46,707  
Attorney for Applicant  
QUARLES & BRADY, LLP  
411 East Wisconsin Avenue  
Milwaukee, WI. 53202-4497  
(414) 277-5405